

PLANNING COMMISSION & BOARD OF ZONING ADJUSTMENT
MINUTES
ROSE ROOM: CREEKMORE PARK COMMUNITY CENTER
November 13, 2018 – 5:30 P.M.

Before calling the meeting to order, Chairman Keesee asked everyone to stand for the Pledge of Allegiance. On roll call, the following commissioners were present: Don Keesee, Richard Morris, Shane Laster, Vicki Newton, Ret Taylor, Marshall Sharpe, Griffin Hanna and Bob Cooper. Kelly Wilson was absent.

Chairman Keesee then called for a motion on the minutes from the October 9, 2018, meeting. Commissioner Cooper moved, seconded by Commissioner Newton, to approve the minutes as written.

Mr. Wally Bailey spoke on the procedures.

1. Conditional Use #9-10-18; A request by Effie Drosopoulos, owner, for an Auto Body Shop and Paint (New Parts) at 1305 South Jackson. – (Tabled at the October 9, 2018, meeting)

Chairman Keesee introduced item 1. Ms. Brenda Andrews read the staff report indicating on October 9, 2018, the Planning Commission tabled the applicant's request for a conditional use for an auto body and paint shop (new parts) due to a number of wrecked vehicles remaining on site. Ms. Andrews stated that the applicant has made substantial progress on removing the wrecked vehicles. Hugo Ibarra was present to represent this application.

Al Prieur also spoke indicating that he would assist the applicant in submitting the required documents for a building permit.

Chairman Keesee called for a motion on the conditional use. Commissioner Cooper moved, seconded by Commissioner Sharpe, to approve the conditional use request, subject to the following staff comments:

- A 6' to 8' opaque fence constructed of wood or masonry shall be installed along the north and east property lines.
- Manufacturer's information for the paint booth along with complete plans for the installation shall be submitted to the Building Department for building permit review and approval prior to the utilization of the paint booth.
- The property shall not be utilized as a salvage operation or as an auto rebuilder for inoperable, damaged, or wrecked vehicles. Additionally, the property shall not be used as a holding yard for wrecked or inoperable vehicles or parts.
- No wrecked, damaged, or inoperable vehicles can be kept on the property more than 30 days.

- Any future violations will result in revocation of the conditional use and business license.

Chairman Keesee called for a vote on the motion to approve the conditional use request with staff comments. The vote was 7 in favor and 1 opposition (Sharpe). Chairman Keesee announced the conditional use request was approved.

2. Rezoning Application #27-11-18; A request by Ricky Hill, agent, for SAB, LLC, for a zone change from ETJ Open-1 to ETJ Industrial Moderate (I-2) by Classification at 9701, 9705, 9707, 9709, 9711, 9713 and 9715 Highway 271 South and 9604 U.S. Highway 271 South.

Chairman Keesee introduced item 2. Ms. Maggie Rice read the staff report indicating approval of the proposed rezoning would allow Smurfit Kappa Group to rebuild as well as place zoning on the surrounding properties all owned by SAB Corporation. Ms. Rice stated that the subject property is on the west side of U.S. Highway 271 just north of Interstate 540. The tract contains an area of 10.99 acres with approximately 1,500 feet of street frontage along Highway 271.

Ricky Hill and Denny Altes were present to represent this application.

No one was present to speak in favor or opposition of this application.

Chairman Keesee called for a motion on the rezoning request. Commissioner Cooper moved, seconded by Commissioner Newton, to approve the rezoning request.

There being no discussion. Chairman Keesee called for a vote on the motion to approve the rezoning request. The vote was 8 in favor and 0 opposed. Chairman Keesee announced the rezoning request was approved.

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3. Variance #30-11-18; A request by Rod Colquitt, agent, for Jimmie and Darlene Steel, for a front-yard setback from 30' to 20' at 3510 South 35th Street.

Chairman Keesee introduced item 3. Ms. Maggie Rice read the staff report indicating approval of the setback variance would allow for an attached two bay carport to be installed on the front of the house. Ms. Rice stated that the subject property is on the west side of South 35th Street between Gary Street and Houston Street. Ms. Rice further stated that the applicant indicated that the carport is needed to protect their disable foster children during inclement weather going to the vehicles. Ms. Rice stated that a neighborhood meeting was held on Monday, October 22, 2018, at 5:30 p.m. on site. No neighboring property owners attended the meeting.

Rod Colquitt was present to represent this application. Mr. Colquitt stated that the pitch of the carport cover would match the gable on the house.

No one was present to speak in favor or opposition of this application.

Chairman Keesee called for a motion on the variance request. Commissioner moved Taylor, seconded by Commissioner Cooper, to approve the variance request.

There being no discussion. Chairman Keesee called for a vote on the motion to approve the variance request. The vote was 8 in favor and 0 opposed. Chairman Keesee announced the variance request was approved.

4. Variance #31-11-18; A request by Candice Settle, agent, for Johnson Real Estate, LLC, for access from a minor arterial or higher street classification at 5921 Riley Park Drive.

Chairman Keesee introduced item 4. Ms. Brenda Andrews read the staff report indicating approval of the variance would allow the subdivision of Lot 11 of Maple Park on Riley Farm into two lots (Lot 11A and Lot 11B). Ms. Andrews indicated that the variance was needed because the proposed Lot 11A would no longer have access to U.S. Highway 271 South which is classified as a Boulevard. Ms. Andrews stated that the applicant wish to subdivide the property for both liability reasons and purposes of sale. Ms. Andrews further stated that the applicant stated there is no intent to sell but if a sale was proposed, both commercial buildings would have to be sold together if the lot was not divided. Ms. Andrews also stated that the applicant indicated that liability issues are a concern with both buildings on one lot because ownership cannot be divided and therefore claims could not be divided.

Randy Coleman was present to represent this application.

No one was present to speak in favor or opposition of this application.

Chairman Keesee called for a motion on the variance request. Commissioner moved Taylor, seconded by Commissioner Cooper, to approve the variance request.

There being no discussion. Chairman Keesee called for a vote on the motion to approve the variance request. The vote was 8 in favor and 0 opposed. Chairman Keesee announced the variance request was approved.

There being no further items, the meeting adjourned at approximately 6:00 p.m.